

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code chapter 135, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 114, “Preparedness Advisory Committee,” Iowa Administrative Code.

The proposed amendments are being made to align rules associated with the councils and committees that advise the Department’s Bureau of Emergency and Trauma Services. The rules relating to the Preparedness Advisory Committee currently reference Committee memberships from regions that no longer exist. The proposed amendments clarify and update the Committee membership provisions as well as:

- Update definitions.
- Expand the purpose of the Committee to include a reference to the hospital preparedness program.
- Refine language related to absences.
- Refine the duties of Committee officers.
- Outline meeting requirements, including removing the reference to Robert’s Rules of Order, defining a quorum, and updating the process used to present information to the Committee.
- Allow the Committee additional flexibility in identifying subcommittees.
- Remove reference to gender balance and instead reference Iowa Code chapter 69 to define the Committee’s composition.

The Preparedness Advisory Committee reviewed and approved the proposed amendments on January 27, 2016.

Any interested person may make written comments or suggestions on the proposed amendments on or before April 5, 2016. Such written comments or suggestions should be directed to Rebecca Curtiss, Bureau Chief of Emergency and Trauma Services, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. E-mail may be sent to rebecca.curtiss@idph.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 135.

The following amendments are proposed.

ITEM 1. Amend rule 641—114.1(135) as follows:

641—114.1(135) Definitions. For the purpose of these rules, the following definitions shall apply:

“*Chairperson*” means the chairperson of the preparedness advisory committee, who has been elected by a majority of advisory committee members.

“*Department*” means the Iowa department of public health.

~~“*Designee*” means the individual designated by the director.~~

“*Director*” means the director of the Iowa department of public health.

“*PAC*” means the preparedness advisory committee.

~~“*Quorum*” means a simple majority of the voting membership of the preparedness advisory committee.~~

~~“*Regions*” means the six multicounty geographic areas of the state as identified by the preparedness advisory committee or the department to provide support services to the public health and hospital preparedness programs.~~

ITEM 2. Amend rule 641—114.2(135) as follows:

641—114.2(135) Purpose. The preparedness advisory committee (PAC) shall provide technical assistance and make recommendations for the planning and implementation of the public health emergency preparedness ~~program~~ and hospital preparedness programs for the department. The committee shall advise the department on matters of policy, plan development, funding allocations, and coordination of state, regional and local entities that are responsible for promoting and protecting the health and safety of all Iowans prior to, during, or after a public health emergency or disaster.

ITEM 3. Amend rule 641—114.3(135) as follows:

641—114.3(135) Appointment and membership.

114.3(1) The voting members of the PAC shall be appointed by the director ~~or designee as nominated by the member organizations.~~

114.3(2) The appointments shall be for three-year staggered terms, which shall expire on June 30.

114.3(3) Vacancies shall be filled in the same manner in which the original appointments were made for the balance of the unexpired term.

114.3(4) Absences.

~~a. If a member is unable to attend a scheduled meeting, an alternate may be designated by the member organization to serve in the absence of the regular member.~~

~~b. Three consecutive unexcused absences shall be grounds for the director or designee to request nomination of an alternate representative to fill the position.~~

~~c. The chairperson of the preparedness advisory committee shall be charged with providing notification of absences to the department.~~

114.3(4) Membership. The voting membership of the PAC shall be comprised of individuals nominated from, but not limited to, the following organizations:

a. American Red Cross.

b. Indian Health Services.

c. Upper Midwest Preparedness and Emergency Response Learning Center.

d. Three representatives identified by the Iowa Counties Public Health Association representing one small, one midsized, and one large public health agency.

e. Two representatives identified by the Iowa Environmental Health Association.

f. Iowa Emergency Management Association.

g. Iowa Emergency Medical Services Association.

h. Six representatives identified by the Iowa Hospital Association representing two rural, two regional, and two urban hospitals.

i. Iowa Medical Society.

j. Iowa Primary Care Association.

k. Iowa Nurses Association.

l. Iowa Osteopathic Medical Association.

m. Iowa Pharmacy Association.

n. Iowa Poison Control Center.

o. Three representatives identified by the Iowa Public Health Association representing one small, one midsized, and one large public health agency.

p. Iowa National Guard.

q. State hygienic laboratory.

r. Veterans Health Administration.

s. Safeguard Iowa Partnership.

t. School Administrators of Iowa.

u. A mental health association.

v. American Academy of Pediatrics.

114.3(5) The PAC may also include, as nonvoting members, representation from the following agencies:

- a. The Iowa department of public health.
- b. The Iowa department of human services.
- c. The Iowa homeland security and emergency management department.
- d. The Iowa department of natural resources.
- e. The Iowa department of agriculture and land stewardship.
- f. The Iowa department on aging.
- g. The Iowa department of education.

114.3(6) Absences.

- a. Three unexcused absences in a 12-month period shall be grounds for the director to request nomination of an alternate representative to fill the position.
- b. Absences may be excused by notification provided to the chairperson prior to the meeting.
- c. The chairperson of the PAC shall be charged with providing notification of absences to the department.

ITEM 4. Rescind rule **641—114.4(135)**.

ITEM 5. Renumber rules **641—114.5(135)** to **641—114.9(135)** as **641—114.4(135)** to **641—114.8(135)**.

ITEM 6. Amend renumbered rule 641—114.4(135) as follows:

641—114.4(135) Officers.

114.4(1) Officers of the PAC shall consist of a chairperson and a vice chairperson, who shall be elected at the first meeting of each fiscal year.

- a. Officers may serve no more than three consecutive terms as chairperson or vice chairperson.
- ~~a. b.~~ Vacancies in the office of chairperson shall be filled by elevation of the vice chairperson.
- ~~b. c.~~ Vacancies in the office of vice chairperson shall be filled by election at the next meeting after the vacancy occurs.

114.4(2) Duties of officers.

- a. The chairperson shall:
 - (1) Preside at all meetings of the ~~advisory committee~~ PAC,
 - (2) Appoint such subcommittees as deemed necessary, and
 - (3) ~~Ratify~~ Designate the chairperson of each subcommittee ~~following elections.~~
- b. The vice chairperson shall:
 - (1) Perform the duties of the chairperson if the chairperson is absent or unable to act. When so acting, the vice chairperson shall have all the powers of and be subject to all restrictions upon the chairperson.
 - (2) Perform such other duties as may be assigned by the chairperson.

ITEM 7. Amend renumbered rule 641—114.5(135) as follows:

641—114.5(135) Meetings.

114.5(1) The PAC shall establish a meeting schedule on an annual basis to conduct its business. There shall be a minimum of four meetings per year.

- a. Meetings may be scheduled as business requires, but notice to members must be given at least five working days prior to the meeting date unless action is required by the PAC on an emergency basis.
- b. ~~A four week notice~~ Notice given four weeks in advance is encouraged to accommodate the schedules of professional members.

114.5(2) Any PAC member who is unable to attend the meeting will notify the chairperson.

114.5(2) 114.5(3) ~~Robert's Rules of Order shall govern all meetings.~~ A majority of appointed members constitutes a quorum.

114.5(4) When a quorum is present, a position is carried by affirmative vote of the majority of those present. No official business that requires a vote of the membership shall be conducted without a quorum present.

114.5(5) Persons wishing to make a presentation to the PAC shall submit the request to the chairperson not less than 14 days prior to the meeting. Presentations may be made at the discretion of the chairperson.

114.5(6) Persons wishing to submit written materials should do so at least 14 days in advance of the scheduled meeting to ensure that PAC members have adequate time to receive and evaluate the materials.

114.5(7) The PAC may conduct meetings by electronic means pursuant to Iowa Code section 21.8.

ITEM 8. Amend renumbered rule 641—114.6(135) as follows:

641—114.6(135) Subcommittees. The PAC may designate one or more subcommittees to perform such duties as may be deemed necessary.

~~114.6(1) The PAC may designate one or more subcommittees pertinent to the priorities and activities of the public health and hospital preparedness program. Subcommittee members shall perform such duties as may be deemed necessary.~~

~~a. Each subcommittee shall include one voting member of the PAC.~~

~~b. The chairperson of each subcommittee shall be elected by the subcommittee membership and ratified by the PAC.~~

~~114.6(2) The designated subcommittees shall include but are not limited to:~~

~~a. Planning,~~

~~b. Epidemiology,~~

~~c. Lab,~~

~~d. Communications/information technology,~~

~~e. Risk communication, and~~

~~f. Education/exercises.~~

~~114.6(3) The PAC may establish ad hoc subcommittees for a specified time of duration for special projects or where special expertise is needed.~~

ITEM 9. Amend renumbered rule 641—114.8(135) as follows:

641—114.8(135) Gender balance Committee composition. ~~All advisory committees of the department appointed by the governor, director or designee, if not otherwise provided by law, shall be gender-balanced.~~ The committee's composition shall be developed and maintained pursuant to Iowa Code chapter 69.